

**CITY OF SALEM**  
**FIRST PASSAGE**

*In the year two thousand twenty-one*

**An Ordinance** to amend an ordinance relative to municipal buildings, operations and transportation

**Section 1.** Chapter 12 Building, Electricity and Plumbing Regulations is hereby amended by adding the following new Article:

**“ARTICLE V. GREENING THE CITY OF SALEM’S MUNICIPAL BUILDINGS, OPERATIONS AND TRANSPORTATION**

**SEC. 12.250 PURPOSE**

The purpose of this Ordinance is to promote public health, safety, and welfare by requiring sustainable design, construction, purchasing and practices for municipal buildings, operations, and transportation. This Ordinance intends to promote energy conservation, improve environmental quality and encourage Low Impact Development (LID) principles.

Through this Ordinance, the City of Salem intends to lead by example in setting standards for its own buildings, operations and transportation; reduce its greenhouse gas emissions by reducing energy consumption, shifting to renewable sources of energy and embracing smart, clean technology; strive to reduce, reuse and recycle products to decrease pollution and minimize impacts on our community and natural resources; and shift its transportation fleet to electric and hybrid vehicles while easing options for electric vehicle car charging and bicycle parking.

The City of Salem is committed to fulfilling a 100% zero net energy goal by maximizing onsite renewable energy production while minimizing energy consumption and the operational costs of municipal buildings.

**SEC. 12.251 GREEN MUNICIPAL BUILDINGS**

**(1) NEW CONSTRUCTION, RENOVATION, AND ADDITIONS**

City-owned or leased new construction or major renovations greater than or equal to five thousand square feet (5,000 sq. ft.) and City-owned or leased major renovations greater than or equal to ten thousand square feet (10,000 sq. ft.) to a current structure shall be certified as, at minimum, one of the following:

- Passive House Institute US (PHIUS) PassiveHouse®
- United States Green Building Council (USGBC) LEED® Gold
- Another applicable sustainable rating system as approved by the Mayor with the recommendation of the Sustainability, Energy, and Resiliency Committee.

In addition to the requirements set forth above, all new City owned or leased buildings and major renovations under 5,000 sq. ft. must incorporate sustainable building practices, as applicable, including, but not limited to:

- All projects must be designed and installed to maximize utility incentives
- All projects shall consider the repurposing, reuse, or recycling of building materials to the extent feasible. In addition to the requirement set forth above, all new City-owned or leased buildings, major renovations of City-owned or leased buildings or complete roof replacements on City-owned or leased buildings must include at least one of the following:
  - Solar power system
  - Green Roof
  - White Roof/Solar Ready

## (2) DESIGN TEAMS

All requests for design services for City owned or leased facilities shall reference this Ordinance.

For those projects before the Designer Selection Committee, the Committee shall ensure that design teams selected for all applicable projects that are subject to this Ordinance shall be qualified to implement the standards in this ordinance and, at a minimum, include one LEED® accredited professional, or other comparable accreditation with demonstrated experience in designing buildings that would meet the requirements of this Ordinance.

## (3) GREEN INFRASTRUCTURE AND PERMEABLE MATERIALS

City-owned properties shall employ best management practices and Low Impact Development (LID) to minimize stormwater runoff, thereby keeping water sources cleaner and reducing flooding. Additionally, land management practices shall maximize or increase sustainable vegetation to mitigate urban heat island effects and reduce flooding and encourage stormwater infiltration.

All City projects must meet the federal requirements for stormwater regulations if the new paved area is over five thousand (5,000) square feet and for any size projects requiring impervious surface it is encouraged to utilize permeable materials, including but not limited to porous paving, concrete, and bricks, when appropriate.

## (4) MAINTENANCE AND TRAINING

All new and major renovations projects must include an operation and maintenance plan which includes training. Ongoing training related to the provisions of this Ordinance shall be considered by Departments in their annual budget submissions.

# **SEC. 12.252 GREEN MUNICIPAL OPERATIONS**

## (1) ENVIRONMENTALLY PREFERABLE PURCHASING

The City of Salem’s Purchasing Department shall create, within three months of the date of this ordinance, an Environmentally Preferable Purchasing Program (EPPP) to guide the purchasing of sustainable products for city buildings, operations, and city-run events. The EPPP shall include standards for third-party certifiable green cleaning products; recycled and/or compostable plates, utensils, cups; hybrid or electric vehicles; low-emitting and recyclable materials; EnergyStar® appliances; and training for relevant City Departments and staff in procurement practices reflective of the EPPP. The EPPP shall be updated every two years at a minimum and submitted to the Sustainability, Resiliency, and Energy Committee for review and comment whenever so updated.

## (2) WASTE REDUCTION

All occupied city-owned or leased buildings shall be equipped with recycling and composting bins to encourage and incentivize waste reduction. All parks or other City owned properties that have a waste receptacle shall also have a recycling bin. For projects involving site work or refurbishing, the City shall seek to restore, repurpose or recycle materials and furniture to the extent feasible and applicable.

## **SEC. 12.253 GREEN MUNICIPAL TRANSPORTATION**

### (1) CLEAN TRANSPORTATION ALTERNATIVES

The EPPP shall include standards for City-owned vehicles that shift the City's fleet to all electric and/or hybrid modes of transportation. Heavy duty vehicles and emergency vehicles shall also be transitioned to a higher efficiency and non-polluting fleet as technologically feasible. The City's municipal light-duty fleet shall be 100% zero-emissions by 2030, as technologically feasible, and the remaining fleet as technologically and financially available

### (2) ELECTRIC VEHICLE CHARGING STATIONS

All new city-owned buildings and new or renovations of parking lots with more than 25 parking spaces shall include electrical vehicle charging stations to encourage use of lower-emission vehicular transportation.

### (3) BICYCLE PARKING

All new construction and major renovations at city-owned buildings, parks, and other public properties shall include bicycle parking.

## **SEC. 12-254 APPROVALS AND WAIVERS**

For all City projects subject to any provision of this Ordinance, the Purchasing Agent shall certify such compliance.

For projects between \$100,000 and \$999,999 seeking a waiver from any provision of this Ordinance, the Purchasing Agent, in consultation with applicable Departments, shall provide such waiver.

For projects over \$1,000,000 seeking a waiver from any provision of this Ordinance, the Department responsible for the project shall request a waiver from the Purchasing Agent who shall seek input and recommendation from the Sustainability, Energy, and Resiliency Committee (SERC).

The Purchasing Department shall document waivers requested and shall provide a report to SERC annually.

## **SEC. 12.255 DEFINITIONS**

For the purpose of this Ordinance, unless the context requires otherwise, the following terms shall have the following meanings:

*Addition:* Any portion added to an existing building.

*Best Management Practices (BMPs):* Regarding stormwater, BMPs means schedules of activities, practices (and policies), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters. BMPs also include the treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

*Environmentally Preferable Purchasing Program:* A plan to procure more environmentally friendly products.

*LEED:* The USGBC (United States Green Building Council) Leadership in Energy and Environmental Design Green Building Rating System®.

*Light Duty and Heavy Duty Vehicles* – Heavy duty vehicles are defined as those with a gross vehicle weight (GVW) of 8,500 pounds or more. A vehicle less than 8,500 GVW is considered a light duty vehicle.

*LID:* Low Impact Development, a land planning and engineering design approach to manage stormwater runoff as part of green infrastructure. LID emphasizes conservation and use of on-site natural features to protect water quality.

*Passive House:* A environmental building certification from PHIUS (Passive House Institute US).

*Square Feet:* The gross square footage being constructed or renovated as listed on the building permit. For parking project, the square footage is the amount of impervious surface used to calculate the stormwater regulations.

*Sustainable Vegetation:* Plantings and landscaping that include native species to the maximum extent possible and selected to survive with minimal resource inputs (fertilizers, watering, etc.) and management (mowing, weeding, etc.).”

***Section II.*** This Ordinance shall take effect as provided by City Charter.

In City Council October 28, 2021

Referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole

In City Council February 10, 2022

Adopted for first passage as amended by a roll call vote of 11 yeas, 0 nays and 0 absent

ATTEST:

ILENE SIMONS  
CITY CLERK

Adv: 02/16/2022